

# CITY PLAN COMMISSION MEETING

May 5, 2026

Meeting Begins at 6:00 P.M.

# APRIL 21, 2026

# CPC MEETING MINUTES

**ZF 26-06**

**SPECIAL PERMIT**

**THE BACK NINE**

**1920 N. COIT ROAD, SUITE 220**

MAY 5, 2026



**Zoning File 26-06 – A request for a Special Permit for a Commercial Amusement Center (Indoor Golf Simulator) in an existing approximately 3,000-square-foot lease space at 1920 N. Coit Road, Suite 220, on the east side of N. Coit Road, south of W. Campbell Road, and currently zoned LR-M(2) Local Retail.**

***Requesting continuation to the May 19, 2026, meeting at 6:00 p.m.***

# ZF 26-09

## LEGISLATIVE-RELATED AMENDMENTS TO COMPREHENSIVE ZONING ORDINANCE – ZONING PROTESTS, DEFINITION OF “FAMILY”

May 5, 2026

## REQUEST

- City-initiated amendments to Appendix A (Comprehensive Zoning Ordinance) of the City of Richardson’s Code of Ordinances:
  - Article I, Sec. 2 (Definitions, Family);
  - Article XXII-A, Sec. 4 (Special Permits, Property owner protest); and
  - Article XXIX, Sec. 6 (Changes and Amendments, Property owner protest).

## **BACKGROUND – 89<sup>TH</sup> LEGISLATIVE REGULAR SESSION**

- Following conclusion of the 89<sup>th</sup> Legislative Regular Session, staff identified several changes to procedures and regulations that are necessary to ensure compliance with the newly adopted state statutes.
- While several procedural items have already been addressed, the following new laws will require regulatory updates to the City’s Comprehensive Zoning Ordinance (CZO) to ensure compliance:
  - SB 1567: Definition of “family”; and
  - HB 24: Zoning protest criteria (i.e. written protest criteria thresholds).

## PRIOR WORK SESSIONS

- In a work session with City Council on April 6, 2026, staff presented the proposed CZO amendments, answered questions, and received feedback.
  - Council concurred with staff’s proposed approach, as presented.
- In a work session with the City Plan Commission on April 21, 2026, staff presented the proposed CZO amendments and received additional feedback.
  - The Commission also concurred with staff’s proposed approach.
  - The Commission sought clarification regarding if mixed-use developments were defined in the statute, and if the supermajority vote by Council was related to councilmembers present at the meeting (vs. persons elected).

# **SB 1567**

## **DEFINITION OF “FAMILY”**

## **SB 1567 – DEFINITION OF “FAMILY”**

- This statute is pre-emptive on cities (that satisfy threshold criteria) such that cities:
  - May not restrict the number of occupants in a housing unit based on familial relations, age, or occupation, but
  - May continue to enforce building and fire code requirements and standards adopted by the State.
- The statute is specifically targeted at home-rule municipalities with:
  - A population less than 250,000; and
  - With an institution of higher education with an enrollment greater than 20,000, or those municipalities adjacent to such institutions.
  - Given that the University of Texas – Dallas is within Richardson, coupled with university enrollment population and the City’s population meeting the statute’s threshold requirements, this bill applies to Richardson.
- The statute allows for deed restrictions to still apply and be more restrictive than the statute for those neighborhoods that may have deed restrictions.

# DEFINITION OF “FAMILY” – PROPOSED CHANGES

## Article I., Sec. 2 Definitions – REVISED DEFINITION

### Current CZO Definition:

***Family*** means one or more persons related by blood, adoption or marriage, living and cooking together as a single housekeeping unit, exclusive of household servants. A number of persons, but not exceeding two, living and cooking together as a single housekeeping unit, though not related by blood, adoption or marriage, shall be deemed to constitute a family.

### Proposed CZO Definition:

***Family*** means any number of persons occupying a single dwelling unit, living and cooking together as a single housekeeping unit, including but not limited to those related by blood, marriage, adoption, guardianship, or dependency.

# **HB 24 ZONING PROTEST CRITERIA**

## HB 24 – ZONING PROTEST CRITERIA

- Prior to passage of HB 24, objection from property owners comprising 20% of the subject property or property within the 200-foot notice area could trigger a supermajority requirement for approval of a zoning change request.
- HB 24 increased the property owner protest threshold from 20% to 60% for rezoning requests that allow for more residential development; and
- Allowed a simple majority vote (instead of a supermajority) to approve, regardless of higher 60% threshold requirement.
- Goal of legislation was to facilitate the development of residential housing.
- All other rezoning requests (i.e. commercial, industrial, etc.) would maintain the 20% property owner protest threshold to require a supermajority of Council to approve.

## HB 24 – ZONING PROTEST CRITERIA

- The following sections of the CZO will need to be amended to comply with the new legislation:
  - Article XXII-A (Special Permits), Sect. 4; and
  - Article XXIX (Changes and Amendments), Sect. 6
- Staff is proposing to amend the CZO – both for zoning map amendments and special permits – by adding the state statute language (with clarifications)
  - Will also apply to special development plans and major modifications since considered a zoning action

# SPECIAL PERMITS – PROTEST CRITERIA – PROPOSED CHANGES

## Article XXII-A. Special Permits, Sec. 4. Property owner protest:

Current CZO regulation:

*“If an application for a special permit is protested in accordance with Section 211.006 of the Texas Local Government Code as amended, the proposed special permit must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the city council.”*

Proposed CZO regulation:

- For special permits associated with non-residential uses and mixed-use developments that do not satisfy the state’s definition of mixed-use:
  - Protests by owner(s) of at least 20% of the land or lots to which the special permit will apply: *Affirmative vote of at least three-fourths of all members of the governing body is required in order to take effect.*
  - Protests by owner(s) of at least 20% of the land or lots immediately adjoining the area to which the special permit will apply and extending 200 ft. from that area: *Affirmative vote of at least three-fourths of all members of the governing body is required in order to take effect.*

# SPECIAL PERMITS – PROTEST CRITERIA – PROPOSED CHANGES

## Article XXII-A. Special Permits, Sec. 4. Property owner protest:

Proposed CZO regulation (*continued*):

- For special permits associated with residential uses and mixed-use developments that satisfy the state’s definition of mixed-use:
  - Protests by owner(s) of at least 60% of the land or lots immediately adjoining the area to which the special permit will apply and extending 200 ft. from that area if the approval of such application has the effect of allowing more residential development within the area described in such application and does not have the effect of allowing additional commercial or industrial uses within such area (unless the additional use is limited to the first floor of any residential development and does not exceed 35% of the overall development): *Affirmative vote of a simple majority of all members of the governing body is required in order to take effect.*

# CHANGES AND AMENDMENTS – PROTEST CRITERIA – PROPOSED CHANGES

## **Article XXIX. Changes and Amendments, Sec. 6. Property owner protest:**

Current CZO regulation:

*“If a proposed change to a zoning regulation or boundary is protested in accordance with Section 211.006 of the Texas Local Government Code as amended, the proposed change in zoning must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the city council.”*

Proposed CZO regulation:

- For zoning requests associated with non-residential uses and mixed-use developments that do not satisfy the state’s definition of mixed-use:
  - Protests by owner(s) of at least 20% of the land or lots to which the proposed change to a zoning regulation or district boundary will apply: *Affirmative vote of at least three-fourths of all members of the governing body is required in order to take effect.*
  - Protests by owner(s) of at least 20% of the land or lots immediately adjoining the area to which the proposed change to a zoning regulation or district boundary will apply and extending 200 ft. from that area: *Affirmative vote of at least three-fourths of all members of the governing body is required in order to take effect.*

# CHANGES AND AMENDMENTS – PROTEST CRITERIA – PROPOSED CHANGES

## **Article XXIX. Changes and Amendments, Sec. 6. Property owner protest:**

Proposed CZO regulation (*continued*):

- For zoning requests associated with residential uses and mixed-use developments that satisfy the state’s definition of mixed-use:
  - Protests by owner(s) of at least 60% of the land or lots immediately adjoining the area to which the proposed change to a zoning regulation or district boundary will apply and extending 200 ft. from that area if the approval of such application has the effect of allowing more residential development within the area described in such application and does not have the effect of allowing additional commercial or industrial uses within such area (unless the additional use is limited to the first floor of any residential development and does not exceed 35% of the overall development): *Affirmative vote of a simple majority of all members of the governing body is required in order to take effect.*

# ZONING PROTEST CRITERIA – PROPOSED CHANGES

	TYPE OF ZONING CASE	PROTEST CRITERIA
<b>CURRENT</b>	Land-based Zoning Changes (ZCs) and Special Permits (SPs)	20% protest requires supermajority of Council to approve (6 out of 7)
<b>PROPOSED</b>	Land-based ZCs and SPs allowing additional residential development	60% protest requires simple majority of Council to approve (4 out of 7)
	All other land-based ZCs and SPs (i.e. commercial, industrial)	20% protest requires supermajority of Council to approve (6 out of 7)
	Proposed Comprehensive Zoning Changes	No protest ability

## SUPERMAJORITY/THREE-FOURTHS REQUIREMENTS

- For purposes of the supermajority/three-fourths vote in relation to a protest, per the TLGC, Sec. 211.0061, the supermajority vote is based on “all members of the governing body”
  - If there are 7 councilmembers, then the supermajority vote is based on 7, thus a minimum 6 out of 7 votes required
  - If there is an absent councilmember such that 6 members are present, then 6 out of 6 votes are required
  - If there is a vacant seat or a councilmember is disqualified from voting on the request due to a legal conflict of interest, then the vacant seat can be deducted (5 out of 6 votes required)

## ZF 26-09 REQUEST SUMMARY

- Correspondence / Public Hearing:
  - For the proposed zoning text amendments, mailed notices or publication of a legal notice of public hearing in the newspaper is not required for CPC.
  - However, notice of a public hearing is required to be published in the newspaper for Council (currently scheduled for June 15, 2026).
  - Additionally, notice has been published on the City's website.
  - To date, staff has not received any correspondence regarding this request.
- Should the CPC concur with the proposed text amendments, the motion should be made as follows:

Recommend approval of the amendments to Article I, Sec. 2 (Definitions, Family), Article XXII-A, Sec. 4 (Special Permits, Property owner protest), and Article XXIX, Sec. 6 (Changes and Amendments, Property owner protest), as presented.

# INDIVIDUAL CONSIDERATION

## STAFF REPORT ON PENDING DEVELOPMENT, ZONING PERMITS, AND PLANNING MATTERS

May 5, 2026

# WORK SESSION

## LEGISLATIVE-RELATED AMENDMENTS TO COMPREHENSIVE ZONING ORDINANCE – HOME OCCUPATIONS

May 5, 2026

## 89<sup>TH</sup> LEGISLATIVE REGULAR SESSION

- Following conclusion of the 89<sup>th</sup> Legislative Regular Session, staff identified several changes to procedures and regulations that are necessary to ensure compliance with the newly adopted state statutes.
- While several procedural items have already been addressed, the following new laws will require regulatory updates to the City's Comprehensive Zoning Ordinance to ensure compliance:
  - ~~HB 24: Zoning protest criteria (i.e. written protest criteria thresholds);~~ ✓
  - ~~SB 1567: Definition of "family"~~ ✓
  - **HB 2464: Home occupations / home-based businesses;**

# **HB 2464 HOME OCCUPATIONS / NO-IMPACT HOME-BASED BUSINESSES**

## HOME OCCUPATIONS – CURRENT CZO PROVISIONS

- The CZO currently allows “home occupations” by right within all of the City’s single-family residential zoning districts
  - Given the cumulative nature of the CZO, home occupations are also allowed in all the other residential zoning districts (i.e. townhome, patio home, duplex, and apartment)
- The term “home occupation” is listed in the Definitions section of the CZO
- As part of that definition, there are 13 criteria to ensure the home occupation use has potentially no adverse impacts to the surrounding neighborhood, thereby presumably being compatible with residential uses and neighborhoods.
  - Shall be conducted entirely within a completely enclosed structure.
  - Home occupation shall not exceed 20 percent of the total floor area.
  - No outside storage of materials, goods, supplies or equipment.
  - No building alterations/activity/signage that indicate a business from the exterior.
  - No employees other than family or lawful occupants.
  - No noxious conditions or hazardous materials.
  - Business must not generate additional traffic or parking

## WHAT CHANGED WITH HB 2464

- Statute preempts cities such that it:
  - Removes the ability for cities to require permits/licenses for “no-impact” home-based businesses; and
  - Eases the ability for home-based businesses to operate within residential neighborhoods.
- Statute defines a “no-impact home-based business” as:
  - a home-based business that is operated from a residential property,
  - by the owner or tenant of the property,
  - for the purpose of:
    - 1.) manufacturing, providing, or selling a lawful good; or
    - 2.) providing a lawful service, as defined in the Texas Local Government Code, Section 229.902 (a)(3), as amended.

## WHAT CHANGED WITH HB 2464 (cont.)

- Cities may require home-based businesses to be:
  - In compliance with federal, state, and local law, including:
    - Municipal fire and building codes; and
    - Municipal regulations related to health and sanitation, transportation/traffic control, solid or hazardous waste, or pollution and noise control;
  - Compatible with residential uses; and
  - Secondary to a primary residential use.
- Deed restrictions still apply and can be more restrictive than the statute for those neighborhoods that may have deed restrictions.

## CHANGES NEEDED TO CZO

- Based on staff’s assessment, there are three areas within the CZO that will need to be amended to address home occupations to ensure compliance with state statute:
  - Definitions (Article I, Sec. 2)
  - The use regulations section (Sec. 1) of each individual zoning district that lists “Home occupation” as an allowed use:
    - Article IV: R-1500-M Residential District Regulations
    - Article IV-A: R-2000-M Residential District Regulations
    - Article IV-B: R-1800-M Residential District Regulations
    - Article VI: R-1250-M Residential District Regulations
    - Article VII: R-1100-M Residential District Regulations
    - Article VIII: R-1000-M Residential District Regulations
    - Article IX: R-950-M Residential District Regulations
    - Article XI: R-850-F Residential District Regulations
    - Article XII: R-850-M Residential District Regulations
  - Supplemental Regulations for Certain Uses (Article XXII-E)

# HOME OCCUPATIONS – CURRENT CZO DEFINITION

## Article I., Sec. 2. Definitions – CURRENT DEFINITION

**Home occupation** means an occupation that is incidental and secondary to the primary use of the premises as a residence and customarily conducted in a residential dwelling unit by a member of the occupant's family, entirely within the main structure, provided such use is not detrimental or injurious to adjoining property. Legal home occupations must meet all of the following conditions:

- (1) Shall be conducted entirely within a completely enclosed structure.
- (2) The total floor area to be used for the home occupation shall not exceed 20 percent of the total floor area of the principal building.
- (3) Shall have no outside storage of materials, goods, supplies or equipment.
- (4) Shall have no exterior advertisement, sign or display advertising the business on the premises.
- (5) Shall have no building alterations that will alter the residential character of the home. Shall engage in no activity that will indicate from the exterior of the structure that the premises are being used for anything other than a dwelling.
- (6) Shall not employ persons other than members of the immediate family or lawful occupants residing on the premises.
- (7) Shall have no toxic, explosive, flammable, combustible, corrosive, radioactive, or other hazardous materials on the site for business purposes.
- (8) Shall not involve the exhibit or display of goods, wares or merchandise.
- (9) Sales incidental to a service shall be allowed; and orders previously made by telephone, internet or at a sales party may be filled on the premises.
- (10) Shall not create any condition that is offensive by reason of odor, noise, smoke, vibration, electrical interference, dirt, or heat in excess of those normally found in residential areas.
- (11) Shall not create a fire hazard, explosion or accumulation of pests, rodents, flies or vermin.
- (12) Shall not involve or include the repair or service of vehicles, internal combustion engines, large equipment or large appliances on the premises.
- (13) Shall not generate traffic or parking in greater volumes than normally expected in a residential neighborhood.

## REVISED CZO DEFINITIONS – TWO USES PROPOSED

### Article I., Sec. 2. Definitions – REVISED DEFINITION AND NEW DEFINITION

***Home occupation*** means a business operating in compliance with Article XXII-E, Sec. 10(a) within a residential dwelling conducted by the owner or tenant of the property as an accessory use to the principal residential use for the purpose of (1) manufacturing, providing, or selling a lawful good, or (2) providing a lawful service. *(existing use/ revised definition)*

***Home-based business (no impact)*** means a business operating in compliance with Article XXII-E, Sec. 10(b) that is operated from a residential property by the owner or tenant of the property as an accessory use to the principal residential use for the purpose of (1) manufacturing, providing, or selling a lawful good, or (2) providing a lawful service as further defined in Texas Local Government Code, Section 229.902(a)(3), as amended. *(new use/new definition)*

# REVISIONS TO USES IN RESIDENTIAL DISTRICTS

**Article IV: R-1500-M Residential District Regulations**

**Article IV-A: R-2000-M Residential District Regulations**

**Article IV-B: R-1800-M Residential District Regulations**

**Article VI: R-1250-M Residential District Regulations**

**Article VII: R-1100-M Residential District Regulations**

**Article VIII: R-1000-M Residential District Regulations**

**Article IX: R-950-M Residential District Regulations**

**Article XI: R-850-F Residential District Regulations**

**Article XII: R-850-M Residential District Regulations**

**Sec. 1. Use Regulations**

...

(f) Gardening.

(g) Home-based business (no impact).

(h) Home occupation.

(i) Public building.

...

# HOME OCCUPATIONS – PROPOSED SUPPLEMENTAL REGULATIONS

## Article XXII-E: Supplemental Regulations for Certain Uses

...

### Sec. 10. Home occupations and home-based businesses (no-impact)

(a) **Home occupation:** A home occupation that is not a home-based business (no impact) shall be subject to and operate in compliance with the following:

- \* (1) The home occupation shall be (i) incidental and secondary to the primary use of the premises as a residence, and (ii) customarily conducted in a residential dwelling unit;
- (2) The total floor area to be used for the home occupation shall not exceed 20 percent of the total floor area of the principal building located on the property;
- (3) The home occupation shall be conducted entirely within the enclosed principal building. *No outdoor activities shall be allowed;*
- (4) Building modifications that alter the residential character of the dwelling or property are prohibited;
- \* (5) No activity shall occur that indicates from the exterior of the principal building that the premises are being used for anything other than a dwelling;
- (6) No *interior or* exterior signs, advertisement, or display located on the premises shall be used to advertise the home occupation;
- (7) *Merchandise shall not be offered or displayed for sale on the premises.* Sales incidental to a service shall be allowed, and orders previously made by telephone, internet, or at a sales party may be filled on the premises;

# HOME OCCUPATIONS – PROPOSED SUPPLEMENTAL REGULATIONS

- \* (8) The outside storage or display of materials, goods, wares, merchandise, supplies, or equipment is prohibited;
- \* (9) *Only one person who is not an occupant of the residence may be employed and work at the residence. A person who receives a wage, salary, or percentage of profits directly related to the home occupation shall be considered an employee. For purposes of this paragraph (9), the coordination or supervision of employees who do not regularly visit the residence for purposes related to the business shall not be considered as working at the residence;*
- (10) No toxic, explosive, flammable, combustible, corrosive, radioactive, or other hazardous materials shall be used or stored on the site for business purposes;
- (11) A home occupation shall produce no offensive odor, noise, smoke, vibration, electrical interference, dirt, or heat in excess of those normally found in residential areas;
- (12) The home occupation shall not create a fire hazard, explosion, or accumulation of pests, rodents, flies, or vermin;
- (13) The repair or service of vehicles, internal combustion engines, large equipment, or large appliances, *other than those owned by the owner or tenant of the premises and kept for personal use*, is prohibited;
- (14) No traffic shall be generated by a home occupation in greater volumes than normally expected in a residential neighborhood; and
- \* (15) *All parking related to operation of the home occupation must be accommodated within the required off-street parking for the residence or along the street frontage of the property.*

# HOME-BASED BUSINESS (NO-IMPACT) – PROPOSED SUPPLEMENTAL REGULATIONS

- (b) **Home-based business (no-impact):** A home-based business (no impact) shall be subject to and operate in compliance with the following:
- (1) Home-based businesses (no-impact) shall be secondary to the use of the property as a residential dwelling;
  - (2) Home-based businesses (no-impact) shall be compatible with the residential use of the property where the business is located;
  - (3) Building modifications that alter the residential character of the dwelling or property are prohibited;
  - \* (4) Home-based businesses (no-impact) shall operate in a manner in which none of its activities are visible from a street;
  - \* (5) At any time on the property where the business is operated, the total number of employees and clients or patrons of the business shall not exceed the occupancy limit for the property established by the Fire Code, as amended;
  - (6) Noise generated through the operation of a home-based business (no-impact) does not substantially increase the noise in the area of the property and shall comply with the limits set forth in Article XXII-B, Sec. 2 (B), as amended;
  - \* (7) Home-based businesses (no-impact) shall not generate on-street parking or a substantial increase in traffic through the area; and
  - \* (8) All parking for employees, patrons, and clients of the business must be accommodated within the off-street parking on the property.

# HOME OCCUPATIONS/NO-IMPACT HOME-BASED BUSINESSES DIFFERENCES

	HOME OCCUPATIONS	NO-IMPACT HOME-BASED BUSINESS
<b>ACCESSORY USE</b>	Secondary to the primary use as a residential dwelling	
	Customarily conducted in a residential dwelling unit	Compatible w/ the residential use of the property
<b>BUILDING MODIFICATIONS</b>	Building modifications that alter the residential character are prohibited	
<b>AREA OF USE</b>	Shall not exceed 20% of the total floor area of the principal building;	Home-based business (no-impact) may use entire property so long as none of its activities are visible from a street
	Shall be conducted entirely within the enclosed principal building	

# HOME OCCUPATIONS/NO-IMPACT HOME-BASED BUSINESSES DIFFERENCES

	HOME OCCUPATIONS	NO-IMPACT HOME-BASED BUSINESS
EMPLOYEES/ OCCUPANCY	Only one person who is not an occupant of the residence may be employed and work at the residence	Total number of employees and clients or patrons shall not exceed the occupancy limit for the property established by the Fire Code
PARKING/ TRAFFIC	<p>No traffic in greater volumes than normally expected in a residential neighborhood;</p> <p>All parking must be accommodated within the required off-street parking for the residence <u>or</u> along the street frontage of the property</p>	<p>Shall not generate on-street parking or a substantial increase in traffic through the area;</p> <p>All parking for employees, patrons, clients must be accommodated within the off-street parking <u>on the property</u></p>

# HOME OCCUPATIONS/NO-IMPACT HOME-BASED BUSINESSES DIFFERENCES

	HOME OCCUPATIONS	NO-IMPACT HOME-BASED BUSINESS
OUTDOOR ACTIVITIES	<p>No activity shall occur that is visible to the exterior;</p> <p>No signs, advertisement, or display;</p> <p>Outside storage or display of materials, goods, wares, merchandise, supplies, or equipment is prohibited</p>	<p>Shall operate in which none of its activities are visible from a street</p>

# HOME OCCUPATIONS/NO-IMPACT HOME-BASED BUSINESSES DIFFERENCES

	HOME OCCUPATIONS	NO-IMPACT HOME-BASED BUSINESS
MERCHANDISE FOR SALE	Merchandise shall not be offered or displayed for sale on the premises; sales incidental to a service shall be allowed, and orders previously made may be filled on the premises	N/A
NOISE	No offensive noise in excess of those normally found in residential areas	Noise does not substantially increase the noise in the area of the property

# HOME OCCUPATIONS/NO-IMPACT HOME-BASED BUSINESSES DIFFERENCES

	HOME OCCUPATIONS	NO-IMPACT HOME-BASED BUSINESS
<p><b>OTHER IMPACTS</b></p>	<p>No toxic, explosive, flammable, combustible, corrosive, radioactive, or other hazardous materials;</p> <p>No offensive odor, smoke, vibration, electrical interference, dirt, or heat in excess of those normally found in residential areas;</p> <p>Shall not create a fire hazard, explosion, or accumulation of pests, rodents, flies, or vermin;</p> <p>The repair or service of vehicles, engines, large equipment, or large appliances, other than those owned by the owner or tenant of the premises and kept for personal use, is prohibited</p>	<p>City can still enforce Building and Fire Codes, and regulations related to health and sanitation, solid or hazardous waste, or pollution and noise control</p>

# NEXT STEPS

## NEXT STEPS

- Staff will make any necessary updates to the proposed approach for the proposed CZO amendments and prepare formal amendments for consideration, based on feedback received by the Commission
- Standard dual public hearing process by Commission and Council (following proper public notification in accordance with state statutes)
  - Recommendation from the Commission (tentatively May 19)
  - Final action by Council (tentatively June 15)

# DISCUSSION/DIRECTION